IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY FOURTH DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 580 of 2005

Between:

Kandadi Sri Ram Reddy, S/o. Late K. Anji Reddy,
Nadargul, Saroornagar Mandal, Ranga Reddy District.

..... PETITIONER

AND

1 The District Collector, Ranga Reddy District,

at Lakdikapool, Hyderabad.
2 District Panchayat Officer, R.R.District at Hyderabad.
3 Extention Officer, Panchayat Raj & Rural Development,

Saroornagar Mandal, Saroornagar, R.R.District.
4 Executive Officer/Panchayat Secretary, Nadargul Gram Panchayat,
Saroorngar Mandal, R.R.District.
5 Sarpanch, Nadargul Gram Panchyat, Saroornagar Mandal,

R.R.District.
6 K. Sree Ram Reddy, S/o. K. Ayyapu Reddy,
Nadagul Gram Panchayat, Saroornagar Mandal, R.R.District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Issue an appropriate Writ, Order or direction, preferably one in the nature of Writ of Mandamus declaring the action of the respondents 1 to 5 herein not preventing the 6th respondent from proceeding further with the illegal constructions of houses over the Plots made in respect of his Agricultural land to an extent of Ac.6-16 guntas in Sy.Nos. 795, 795/A and 796 situated within Nadargul Gram Panchayat Limits of Saroornagar Mandal, R.R.District as arbitrary, illegal, improper and contrary to the provisions of A.P. Panchayat Raj Act, 1994 and Rules made there under while direct

the respondents -1 to 5 to prevent the 6th respondent from making illegal activities detrimental to the interest of Nadargul Gram Panchayat forthwith; and pass such other of further orders as are necessary.

Counsel for the Petitioner: MR.J.KANAKAIAH

Counsel for the Respondent Nos.1 to 3: GP FOR PANCHAYAT RAJ & RURAL DEV.

Counsel for the Respondent Nos.4 and 5: MRS JOTHI EASHWARI,SC FOR GRAM PANCHAYAT

Counsel for the Respondent No.6:

The Court at the admission stage made the following:

ORDER:

The petitioner alleges that the 6th respondent, being member of Nadargul Gram Panchayat, without any permission from the Gram Panchayat, is carrying on illegal constructions in an extent of Ac.6.13 cents in Sy.No.795, 795/A and 796 of Nadargul village of Saroornagar Mandal. The petitioner stated to have addressed letters dated 17.11.2004 to the 5th respondent/Sarpanch, Nadargul Gram Panchayat and dated 01.12.2004 to the 2nd respondent/District Panchayat Officer. The 2nd respondent/District Panchayat Officer referred the matter to the 3rd respondent/Extension Officer vide proceedings dated 01.12.2004, directing him to conduct an enquiry and to submit a report. Questioning the action of the 3rd respondent/Extension Officer in not taking appropriate steps to prevent the illegal construction being made by the 6th respondent, the present writ petition is filed.

Heard the learned counsel for petitioner and the learned Government Pleader for Panchayat Raj. Both counsel agreed for disposal of the writ petition at the stage of admission.

Admittedly, pursuant to representation made by the petitioner, the second respondent /District Panchayat Officer has referred the matter to the 3rd respondent to conduct an enquiry and to submit a report and the matter is pending consideration before the 3rd respondent/Extension Officer. In that view of the matter, without going

into the merits of the case, I deem it appropriate to dispose of the writ petition directing the 3rd respondent/Extension Officer to enquire into the matter and after giving reasonable opportunity to all the concerned, take appropriate action, against the illegal construction, if any.

Accordingly, the Writ Petition is disposed of. No costs.

Dated: 24.01.2005

Dsr/tvk

ASSISTANT REGISTRAR

To:

1 The District Collector, Ranga Reddy District,

at Lakdikapool, Hyderabad.
2 District Panchayat Officer, R.R.District at Hyderabad.
3 Extention Officer, Panchayat Raj & Rural Development,

Saroornagar Mandal, Saroornagar, R.R.District.
4 Executive Officer/Panchayat Secretary, Nadargul Gram Panchayat,
Saroorngar Mandal, R.R.District.
5 Sarpanch, Nadargul Gram Panchyat, Saroornagar Mandal,

R.R.District.
6. Two CCs to the Government Pleader for Panchayat Raj

High Court Buildings, Hyderabad(OUT)

7. Two CD copies

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